



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: Department of Labor and Industries

- ☒ **Preproposal Statement of Inquiry** was filed as WSR 08-09-118 ; or
☐ **Expedited Rule Making--Proposed notice** was filed as WSR _____; or
☐ **Proposal is exempt under RCW 34.05.310(4).**

- ☒ **Original Notice**
☐ **Supplemental Notice to WSR** _____
☐ **Continuance of WSR** _____

Title of rule and other identifying information: Prevailing Wage Fee Changes, Chapter 296-127 WAC

Hearing location(s):

Date: July 25, 2008 Time: 9:00 am
 Department of Labor and Industries
 7273 Linderson Way SW, Room S117
 Tumwater, Washington

Submit written comments to:

Name: Sally Elliott
 Address: Post Office Box 44400
 Olympia, Washington 98504-4400
 e-mail yous235@lni.wa.gov
 fax (360) 902-5292 by July 25, 2008

Assistance for persons with disabilities: Contact
 Sally Elliott by July 7, 2008 at yous235@lni.wa.gov

Date of intended adoption: August 19, 2008
 (Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of this rulemaking is to update the filing fees for intents and affidavits. The Legislature increased the filing fees from \$25 to \$40 during the 2008 Legislative session. The rulemaking will remove the \$25 filing fee from the rule.

The filing fees for Prevailing Wage intents and affidavits will be removed from the rule. The rules will have a reference to RCW 39.12.070, which clearly states the current fee set by the Legislature. This will prevent the program from having to conduct rulemaking every time a fee change occurs.

Reasons supporting proposal: See purpose statement.

Statutory authority for adoption: Chapter 39.12 RCW, RCW 43.22.270, and Chapter 285, Laws of 2008 (Engrossed House Bill 3381)

Statute being implemented: Chapter 39.12 RCW, RCW 43.22.270, and Chapter 285, Laws of 2008 (Engrossed House Bill 3381)

Is rule necessary because of a:

Federal Law? ☐ Yes ☒ No
 Federal Court Decision? ☐ Yes ☒ No
 State Court Decision? ☐ Yes ☒ No
 If yes, CITATION:

DATE
 June 17, 2008

NAME (type or print)
 Judy Schurke

SIGNATURE

TITLE
 Director

CODE REVISER USE ONLY

**OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED**

**DATE: June 17, 2008
 TIME: 7:58 AM**

WSR 08-13-079

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None.

Name of proponent: (person or organization) Department of Labor and Industries

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... David Soma	Tumwater, Washington	(360) 902-5330
Implementation.... Patrick Woods	Tumwater, Washington	(360) 902-6348
Enforcement..... Patrick Woods	Tumwater, Washington	(360) 902-6348

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

A small business economic impact statement has not been prepared under chapter 19.85 RCW. The department has considered whether these proposed rules are subject to the Regulatory Fairness Act and has determined they do not require a small business economic impact statement because the proposed rules are in response the passage of Engrossed House Bill 3381 [see RCW 19.85.025 referencing exemptions listed under RCW 34.05.310 (4)(c)].

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain:

A cost benefit analysis has not been prepared under RCW 34.05.328. The department has considered whether these proposed rules are subject to the cost benefit analysis and has determined they do not require a cost benefit analysis because the proposed rules are in response to the passage of Engrossed House Bill 3381 [see RCW 34.05.328(5)(b)(iii)].